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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,220	12/20/2001	Suzanne Scott	1076.40948x00	4222

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EXAMINER

DAO, MINH D

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/022,220	Applicant(s) SCOTT, SUZANNE	
	Examiner MINH D DAO	Art Unit 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunlap et al. (US 6,757,372) and further in view of Sudo (US 6,070,068).

Regarding claim 1, Dunlap teaches a telecommunications device (see fig. 1B) including a display (see fig. 1B, Display 112) and a control unit (see fig. 1B, Buttons 114, Keys 116 and 120; col. 5, lines 23-35) configured to display a menu of pending calls (see figs. 3A, 3B and 3C; in this case, Call Window of Dunlap reads on the menu of the present invention) one call being selectable from the menu by a user to display a sub-menu (see fig. 3C) listing call handling options associated with the selected call (see fig. 3C, Options Hold, Trsfr, EndCall, More; col. 6, lines 1-33). However, Dunlap fails to teach that the communications device is a mobile device. Sudo, in an analogous art, teaches a mobile communications device (see figs. 1 and 2, Portable Phone 1) which displays pending call on its display unit (see figs. 6A-F). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the

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teaching of Sudo to Dunlap for the benefit of being able to view and access incoming calls as taught by Sudo (col. 6, lines 12-33).

Regarding claim 2, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 1, wherein the list of options in a sub menu changes depending on the status of the selected call (see figs. 3B and 3C).

Regarding claim 3, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 1 wherein the list of options in a sub-menu changes depending on the status of the unselected pending calls (see figs. 3a and 3C).

Regarding claim 4, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 1, wherein the call selected from the menu is identified on the sub-menu adjacent the list of options associated with the selected call (see fig. 3C).

Regarding claims 5-6,11, 13-16, the claims have the limitations as that of claim 1 and therefore are rejected for the same reason set forth in the rejection of claim 1.

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Regarding claim 7, the combination of the teachings of Dunlap and Sudo teaches a mobile telecommunications device according to claim 1, wherein the control unit includes a scroll key and an option key configured such that the user can highlight a pending call in the menu using the scroll key and select said highlighted call by pressing the option key (Reference Sudo, col. 5, lines 34-42; col. 6, lines 36-50).

Regarding claims 8-10, the claims have the limitations as that of claim 7 and therefore are rejected for the same reason set forth in the rejection of claim 7.

Regarding claim 12, the claim has the limitations as that of claim 1 and therefore is rejected for the same reason set forth in the rejection of claim 1.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

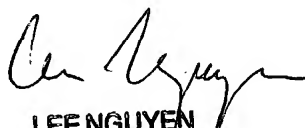
- a. Prior et al. (US 6,349,220) discloses Radiotelephone Handset.
- b. Communication terminal apparatus and control method thereof.
- c. Method and apparatus of providing audio feedback over a digital channel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D DAO whose telephone number is 703-305-5589. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VIVIAN C CHIN can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao
Art Unit 2682
September 3, 2004 *md*


LEE NGUYEN
PRIMARY EXAMINER